

United States Court of Appeals For the First Circuit

No. 24-1312

RA DAIS DEAPOCALYPSE BEY,

Plaintiff - Appellant,

v.

CHERYL CLAPPROOD, Superintendent, Springfield Police Department; CRAIG MOREL,
President, CJ Towing,

Defendants - Appellees.

Before

Barron, Chief Judge,
Kayatta and Gelpí, Circuit Judges.

JUDGMENT

Entered: February 24, 2025

Plaintiff-appellant ra dais deapocalypse bey appeals from a judgment of the district court dismissing his complaint for failure to state a claim. See Fed. R. Civ. P. 12(b)(6). Appellant has filed an opening brief. One defendant-appellee has filed a motion for summary disposition, and the other defendant-appellee has filed a response brief.

We have carefully reviewed the parties' filings and relevant portions of the record, including review of each of the arguments set out in appellant's opening brief. We conclude that affirmance is in order, substantially for the reasons set forth in the district court's memorandum and order of March 14, 2024. See *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (explaining that, in order to state a claim to relief that is plausible on its face, a complaint must include "factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged"); *Chiang v. Skeirik*, 582 F.3d 238, 241 (1st Cir. 2009) ("We review the court's dismissal, under Federal Rule[] of Civil Procedure . . . 12(b)(6), de novo."); see also *Garcia-Gonzalez v. Puig-Morales*, 761 F.3d 81, 87 (1st Cir. 2014) ("There must be a causal connection between the defendant's conduct and the alleged deprivation: only those individuals who participated in the conduct that deprived the plaintiff of his rights can be held liable."); *Justiniano v. Walker*, 986

F.3d 11, 20 (1st Cir. 2021) ("Generally, a supervisor cannot be held liable under § 1983 on a respondeat superior theory -- a supervisor's liability must be premised on his or her own acts or omissions and does not attach automatically even if a subordinate is found liable.").

The pending motion for summary disposition is **GRANTED**, and we **AFFIRM** the judgment of the district court as to both defendant-appellees.

Affirmed. See 1st Cir. R. 27.0(c).

By the Court:

Anastasia Dubrovsky, Clerk

cc:
ra dais deapocalypse bey
Lisa Caryl deSousa
Kathryn G. Foster
Ryan K. O'Hara